

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

**TIERRA PORTER and
ERIKA LUKE
Defendants**

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Case No. 4:22-cr-374

**UNOPPOSED DEFENDANT ERIKA LUKE'S SECOND MOTION FOR CONTINU-
ANCE**

TO THE HONORABLE KEITH P. ELLISON, UNITED STATES DISTRICT COURT JUDGE
FOR THE SOUTHERN DISTRICT OF TEXAS:

Defendant Erika Luke respectfully moves this Court for a fourteen-day continuance of the pretrial conference, and trial setting in this case. In support thereof, she would show the following:

1. An Excusable Delay Order was signed by this court August 23, 2022. It set a pretrial conference for December 14, 2022, at 10:30 AM at 515 Rusk, Courtroom 3A on the third floor in Houston, requiring the Defendants to be present. It set jury selection and trial December 19, 2022, at 9 AM. (Doc. No. 19)
2. Bob Mabry, counsel for Erika Luke, seeks to take a vacation the weeks beginning December 12 and December 19, 2022. A copy of the printout of the vacation information that he had filed with the Harris County District Clerk's Office in January 2022 is attached as exhibit A. Mabry's girlfriend cares for her mother in what appears to be her mother's final illness, and arrangements have been made to provide for an alternate caregiver for this vacation.

3. The Defendants were charged by indictment handed down on July 28, 2022, with conspiracy to provide contraband in prison and attempting to provide contraband in prison. (Doc. No. 8) The contraband was a cell phone. The motions deadline is presently set for November 16, 2022. Responses are due November 30, 2022. (Doc. No. 17).
4. This motion is made not for the purpose of delay but in the best interests of justice. Defendants have waived and are willing to waive their rights to a speedy trial.
5. Monique Sparks, attorney for Tierra Porter is unopposed to this motion. Counsel for the Government, Karen Lansden, is unopposed to this motion.

WHEREFORE PREMISES CONSIDERED, Defendant Erika Luke respectfully requests that this Court grant this motion and enter an order to continue the pretrial conference, and trial and for general relief.

Respectfully Submitted,

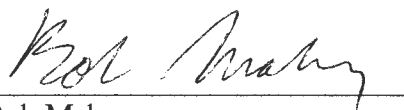
Bob Mabry



Attorney for Defendant Erika Luke
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CERTIFICATE OF CONFERENCE

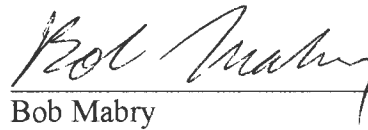
. All parties agree to this motion.



Bob Mabry

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Motion to Continue was served by Notification of Electronic Filing to Assistant United States Attorney Karen M. Lansden and counsel for Tierra Porter today, September 12, 2022.


Bob Mabry